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1 The Court's (#75) Order scheduling the settlement conference states, "If board
2 approval is required to authorize settlement, the attendance of at least one sitting member of
3 the board (preferably the chairperson) is absolutely required." (#75 at 2).

4 The State Board of Examiners consists of the Governor, Secretary of State and
5 Attorney General. Defendants' respectfully request that the Court excuse the attendance of
6 the members of the State Board of Examiners at the settlement conference because the State
7 Tort Claims Manager, who has the authority to settle cases up to \$75,000.00, will be in
8 attendance. If the Defendants feel that a settlement in excess of \$75,000.00 is warranted,
9 they will make their best efforts to obtain approval of the State Board of Examiners.

10 Dated this 3rd day of December, 2010.

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12 CATHERINE CORTEZ MASTO
Attorney General

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14 By Beth Hickman
BETH HICKMAN
Deputy Attorney General
Bureau of Public Affairs
Division of Public Safety
Attorneys for Defendants

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18 **IT IS SO ORDERED**
Valerie R. Foster
U.S. MAGISTRATE JUDGE

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20 DATED: 12/4/10

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Nevada Attorney General and that on this 3rd day of December, 2010, I caused to be served a copy of the foregoing **DEFENDANTS' REQUEST TO EXCUSE ATTENDANCE OF THE NEVADA STATE BOARD OF EXAMINERS AT THE SETTLEMENT CONFERENCE** by mailing a true and correct copy to the following:

Ian E. Silverberg, Esq.
HARDY LAW GROUP
96 Winter Street
Reno, NV 89503

Matthew Venable #89529
High Desert State Prison
PO Box 650
Indian Springs, NV 89070

By: Beth Hickman
Beth Hickman
Deputy Attorney General
Public Safety Division